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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 2 July 2003 from the Permanent Mission of Paraguay to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Paraguay to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and has the honour to transmit herewith the replies corresponding to sections V and VI of the guidelines (see annex), which were accidentally misplaced when the report of the Government of Paraguay under Security Council resolution 1455 (2003) was transmitted on 16 April 2003.

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Annex to the note verbale dated 2 July 2003 from the Permanent Mission of Paraguay to the United Nations addressed to the Chairman of the Committee

Report of the Republic of Paraguay on resolution 1455 (2003): sections V and VI

V. Arms embargo

Under the sanctions regime, all States are requested to prevent the direct or indirect supply, sale and transfer, to Osama bin Laden, members of al-Qa`idah organization and the Taliban and other individuals and entities associated with them, from their territories or by their nationals outside their territories of arms and related materiel of all types, including the provision of spare parts and technical advice, assistance, or training related to military activities (paragraph 2 (c) of resolution 1390 (2002) and paragraph 1 of resolution 1455 (2003)).

20. **What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Osama bin Laden, members of al-Qa`idah organization and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?**

In July 2002, the Government of Paraguay approved a new Weapons Act, which is in accordance with the principles laid down in current international instruments on the matter.

In Title V of this Act, entitled "Importation and exportation of firearms, ammunition and explosives", it is stipulated that only the Executive may authorize the importation of firearms, ammunition, explosives and their accessories.

It provides also that importation/exportation may be effected only through the customs offices in the capital and at Silvio Pettirossi International Airport.

Any person effecting imports or exports not authorized by the competent authority is liable to a custodial penalty of 5 to 10 years, the merchandise in question is seized, and the authorizing official is liable to a custodial penalty of 5 to 10 years and is barred from holding public office for this same period. For the purpose of the implementation of these penalties, the case histories are transmitted to the competent prosecuting officials.

21. **What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Osama bin Laden, members of al-Qa`idah organization and the Taliban and other individuals, groups, undertakings and entities associated with them?**

No measures have been taken to criminalize the specific situation described above.

22. **Please describe how your arms/arms broker licensing system, if any, can prevent Osama bin Laden, members of al-Qa`idah organization and the**

Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.

As mentioned in the preceding paragraphs, the Executive has exclusive powers to authorize the exportation/importation of firearms, ammunition and explosives, and the offices of the Executive that hold the United Nations lists of the names of followers or associates of Bin Laden and the Taliban. Accordingly, there is no way in which such persons can obtain such authorization.

23. **Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Osama bin Laden, members of al-Qa'idah organization and the Taliban and other individuals, groups, undertakings and entities associated?**

Since the Republic of Paraguay is not a producer or manufacturer of firearms, ammunition, explosives or any related materials, there is no risk of such items falling into the hands of persons belonging to the above-mentioned groups.

VI. Assistance and conclusion

24. **Would your State be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.**

Unfortunately, the national Government is not in a position to provide assistance to other States, for lack of financial resources.

25. **Please identify areas, if any, of any incomplete implementation of the Taliban/al-Qa'idah sanctions regime, and where you believe specific assistance or capacity-building would improve your ability to implement the above sanctions regime.**

Paraguay has implemented in full all United Nations edicts relating to terrorism to the extent of its capacities. It should be pointed out that national capability in this area would be enhanced if international cooperation were available, especially with regard to computerization for the transmission of data throughout the national territory in order to prevent the entry, exit or circulation of the individuals included on United Nations lists.

26. **Please include any additional information you believe pertinent.**

A copy of Act 1810 on Firearms, Ammunition and Explosives is attached hereto.*

* The attached documentation may be consulted in the Secretariat.